



Docket No.: 1293.1130

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Jung-wan KO

Serial No.: 09/650,858

Group Art Unit: 2653

Confirmation No.: 9518

Filed: August 29, 2000

Examiner: Paul W. Huber

For: RECORDING MEDIUM FOR STORING VERSION INFORMATION FOR MAINTAINING
RECORDING AND/OR REPRODUCING COMPATIBILITY, AND METHOD AND
APPARATUS FOR MANAGING THE SAME

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

A Statement of Reasons for Allowance was forwarded in the Office Action mailed June 22, 2005.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

The Examiner characterizes certain features claims 24 and 25. However, the Examiner has not recited the appropriate language for the appropriate claims as pending and allowed in the application.

Since the Examiner's comments are directed only to claims 24 and 25, such comments should not be construed as applying to any of the other claims. Further, the Examiner's

comments with respect to claims 24 and 25 are confusing because the Examiner has included an emphasized portion which encompasses both recording and reproducing compatibility, whereas claim 24 comprises determining recording compatibility and claim 25 comprises determining reproducing compatibility.

The foregoing is merely meant to be exemplary, and does not point out all of the discrepancies between the Examiner's Statement of Reasons for Allowance and the claimed features of the currently pending claims.

It is further submitted that the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same. It is also submitted that the claims provide their own best evidence as to the reasons for allowance.

In summary, it is submitted that the Examiner's Statement "raises possible misinterpretations... and possible estoppel effects" (M.P.E.P. §1302.14) and is therefore improper.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 12/23/05

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